

## REMARKS:

### Election/Restrictions

Applicants acknowledge the Examiner's restriction and provisional election of Claims 25-48 and 50-52 for Invention III.

### Claim Rejections under 35 U.S.C §102

The Examiner's rejection of Claims 25-48 and 50-52 under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 6,174,235 to Walker, ("Walker") is respectfully traversed for at least the reasons given below.

Walker discloses a punchboard-type game having a number of elements and an equal number of locations. Col. 6, lines 49-54; Col. 7, lines 3-15. Each element is randomly assigned to a different location and is hidden from the player. Col. 7, lines 1-24. During each game, the player selects three locations out of thirty-six, thereby defining a subset of three elements that defines the outcome and payout for that game. Col. 7, lines 7-10. Each location is hidden or obscured until selected by the player. Col. 7, lines 7-10. Once the player selects the location, the element is immediately revealed. Each element is randomly assigned to *at least one location*; thus, each element of the entire set of elements is assigned to at least one of the thirty-six locations. Col. 7, lines 16-21. Therefore, each element of the set of elements is present on the punchboard, whether the player selects it or not.

Walker further discloses evaluation of an outcome with predefined subsets, each predefined subset defining a predefined outcome. Col. 8, lines 41-46. For example, three instances of one element may define an outcome comprising one hundred thousand times the amount wagered. Col. 8, lines 50-53.

Applicants' pending Claims introduce an abundance of locations (spots, reels, etc.), where a player can select which locations will be used for a gameplay condition to ultimately determine an outcome. The player must select at least one location for a gameplay condition. After the player selects the locations (or reels), the locations are played (e.g., the reels are spun) to reveal the game element indicia for the respective location.

The game element indicia displayed for each location is one of a set of game element indicia. A set of game element indicia is associated with each location, but after the locations are selected and played, only one game element indicia is displayed. In Applicants' game, each indicia of the set of game element indicia will *not* be assigned to a location, but rather are randomly available to each of the game element locations. Thus, even if one of the indicia of the full set of game element indicia occurred only once (e.g., a single pineapple), it would be possible for all game element locations to come up as the same single indicium (e.g., all pineapples). This adds an entirely new and exciting dimension to the game, since now multiples of the same indicium appearing at a plurality of locations is reproduced as a play factor. Hence, the name "spin keno" has been used by the Applicants for this aspect of the game, since it is an innovative hybridization of slots and keno.

A determination is then made as to whether the randomly assigned game element indicia represent a winning outcome. In another aspect of the invention, a plurality of separate paytables exist for each number of locations that are played. Thus, the more locations selected by the player, a payable having higher values is applied. This increases the potential payout for an increasing wager, with the wager being based, in part, upon the number of locations (reels) selected.

*min claim*  
In contrast to the Applicants' foregoing Claims, Walker does not disclose or suggest selecting one or more (to a maximum of ten) locations for a gameplay condition, and playing the selected locations to reveal potentially multiple of the same game element indicia. In contrast to the present invention, Walker discloses selecting only three locations. Furthermore, in Walker, once the player selects the location, the element is immediately revealed. In accordance with a preferred version of the present invention, the locations are all selected for a gameplay condition, and thus only after being played (e.g., reels spun) are the game element indicia revealed. *not in claim*

Walker discloses a set of elements and an equal number of locations within a punchboard wherein each element of the set of elements is assigned *to at least one* of the thirty-six locations. This is in contrast to the present invention, where none of the game element indicia are assigned to a location: the entire set of game element indicia are available with each location.

*9*  
[In contrast to Applicants' foregoing Claims, Walker does not disclose or suggest a player selecting "game element locations for a gameplay condition" recited in independent Claims 25, 29 and 39 (Walker does not allow play of the location after selection, Walker immediately reveals the element after the player selects the location); *75* [a player selecting reels "then spinning at least said selected reels for a gameplay condition" as recited in independent Claim 47 (Walker has no such spinning or reels); or [a player selecting "a subset of one or more of said plurality of elements" and "a stop position of each of said plurality of elements" as recited in independent Claim 50 (Walker has no "spin" stop since there is no randomization at each location).]

*not in claim*  
Therefore, independent Claim 25 and Claims 26-28 dependent thereon; independent Claim 29 and Claims 30-38 dependent thereon; independent Claim 39 and Claims 40-46 dependent thereon; independent Claim 47 and Claim 48 dependent thereon; and independent Claim 50 and Claims 51-52 dependent thereon cannot be anticipated by Walker since Walker does not disclose each and every element of the claimed invention. Further, Walker does not include any

suggestion to modify the game to arrive at Applicants' invention because Walker does not allow play of the location after selection or include "reel" type slot action. Accordingly, it is respectfully requested the rejections be withdrawn.

The Examiner's rejection of Claims 25-48 and 50-52 under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 6,149,156 to Feola ("Feola") is respectfully traversed for at least the reasons given below.

Feola discloses a multiple round card game of chance having a grid of 52 locations representing the number of cards in a standard 52-card deck of playing cards. Col. 5, lines 10-13 and 39-41. The player first places a wager for play and selects five locations on the grid to form a five card poker hand. Col. 6, lines 16-19. After the player selects the five locations, the cards are immediately revealed, or alternately all 52 cards are revealed. Col. 6, lines 19-22. Payouts are based on how the hand formed from the cards revealed in the chosen locations compares to the payout schedule. Col. 6, lines 24-25.

In contrast to the present invention, and like Walker (described above), the game element indicium displayed for each location is one of a set of game element indicia. Only one card of the set of game cards is associated with each location when played. Again, in the present invention, the game element indicia are randomly available to each of the game element locations. Thus, in Applicants' game, one of the indicia -- the Jack of Hearts -- of the full set of game element indicia -- the entire set of cards -- could appear at all selected gameplay locations. Nothing like this is shown or suggested in Feola, and would lead to chaos in Feola's game, i.e., Feola teaches away from Applicants' game.

In like contrast to Walker, the present invention uses different paytables depending on the number of game element locations selected by the player. Feola discloses a single predefined

payout schedule which is compared to the hand formed from the cards revealed in the chosen locations.


In summary of Applicants' foregoing Claims, Feola does not disclose or suggest "game element indicia being randomly assigned for each said game element location from a set of game element indicia having different indicia for such assignment" recited in independent Claims 25, 29 and 39 (Feola has one game element indicium associated with each game element location); a player selecting reels for a gameplay condition wherein "said game element indicium being randomly arrived at for each said reel" as recited in independent Claim 47 (Feola has no reels or randomization at each reel); or a player selecting "a subset of one or more of said plurality of elements" and "a random selection mechanism randomly selects and displays a stop position of each of said plurality of elements" as recited in independent Claim 50 (Feola has no "spin" stop since there is no randomization at each location). Therefore, independent Claim 25 and Claims 26-28 dependent thereon; independent Claim 29 and Claims 30-38 dependent thereon; independent Claim 39 and Claims 40-46 dependent thereon; independent Claim 47 and Claim 48 dependent thereon; and independent Claim 50 and Claims 51-52 dependent thereon cannot be anticipated by Feola since Feola does not disclose each and every element of the claimed invention. Further, Feola does not include any suggestion to modify the game to arrive at Applicants' invention because Feola has no reels and each game element indicia of a set of indicia is assigned to a location. Accordingly, it is respectfully requested the rejections be withdrawn.

Therefore, for at least the foregoing reasons, reconsideration of the rejections is respectfully requested. A Notice of Allowability is solicited.

### Information Disclosure Statement

The Applicants submit herewith a Supplemental IDS in compliance with 37 CFR 1.97, 1.98 and MPEP §609. A concise written description of references A17 and A18 and papers for references A12 and A13 are enclosed, per the Examiner's request, and full consideration and citation of record of these references is requested.

Respectfully submitted,



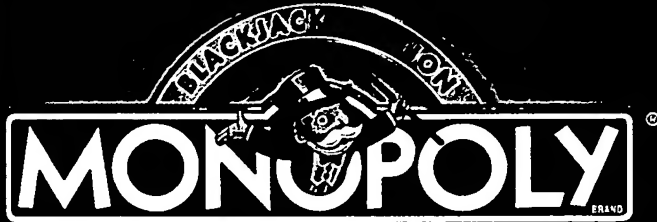
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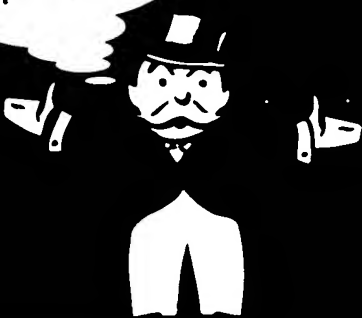
# HOW TO PLAY



**INCREASE YOUR ODDS** with Monopoly<sup>®</sup> Blackjack Edition™. When you bet the side wager and are dealt a qualifying blackjack hand the bonus game begins! You have the option of choosing a fixed award or playing the Monopoly game. In the Monopoly game, your token is set in motion around the board. You press the activator button to "hit the brakes" and land on a square. Each square is randomly chosen and denotes the actually multiplier of your side wager.

- **Blackjack Bet (required)** — Played exactly the same as traditional blackjack.
- **Monopoly Blackjack Bet (optional)** — Each player can choose to make this additional side wager to be eligible to play Monopoly Blackjack Edition game if a qualifying blackjack is dealt to you.
- **See Actual Monopoly Board For Deed Payouts.**

All Squares Have  
An Equal Chance!



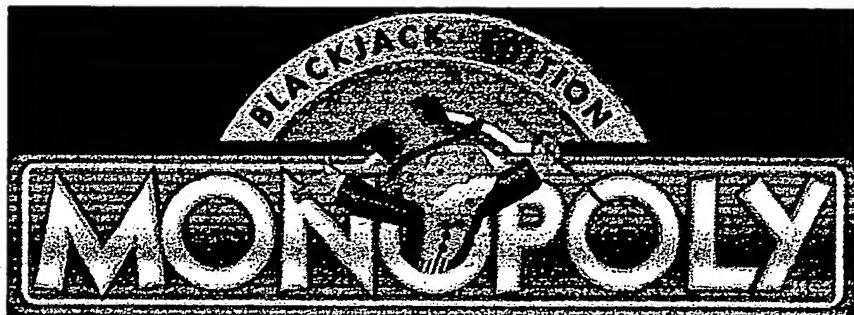
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#### Product Features


- ♥ Fun and easy to play
- ♠ Offers House an additional side bet on traditional blackjack tables
- ♦ "Jail" squares keep players on the edge of their seats
- ♣ Animated MONOPOLY® board screen and sound effects add to players' interest
- ♥ Custom signage & 17" LCD with custom 3-D animation
- ♠ Sound package included








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 Blackjack Bet (required) – Played exactly the same as traditional blackjack.

 Monopoly Blackjack Bet (optional) – Each player can choose to make this additional side wager to be eligible to play Monopoly® Blackjack Edition™ game if a qualifying blackjack is dealt to you.

 See Actual Monopoly Board For Deed Payouts.

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